

**Iain M. R. Armstrong, OSB #142734**

Iain.Armstrong@lewisbrisbois.com

**Nicky C. Blumm, OSB #226455**

Nicky.Blumm@lewisbrisbois.com

LEWIS BRISBOIS BISGAARD & SMITH LLP

888 SW Fifth Avenue, Suite 900

Portland, Oregon 97204-2025

Telephone: 971.712.2800

Facsimile: 971.712.2801

*Attorneys for Defendant AB Hollywood, LLC*

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

PORTLAND DIVISION

CONNER SLEVIN, an individual,

Plaintiff,

vs.

AB HOLLYWOOD, LLC, a limited liability  
company,

Defendant.

Case No. 3:23-cv-01404-YY

**DEFENDANT AB HOLLYWOOD,  
LLC'S WITHDRAWAL OF RULE 11  
MOTION FOR SANCTIONS**

**MOTION**

Pursuant to L. Civ. R. 7(b)(1) and Fed. R. Civ. P. 11, defendant AB Hollywood, LLC (“defendant”) hereby moves to withdraw its Rule 11 Motion for Sanctions (ECF No. 26). The present Motion to Withdraw is supported by the accompanying Declaration of Nicky Blumm in Support of Defendant AB Hollywood, LLC’s Motion to Withdraw Rule 11 Motion for Sanctions (“Blumm Decl.”).

///

## FACTS & ARGUMENT

On August 6, 2024, defendant filed a Fed. R. Civ. P. 11 Motion for Sanctions (ECF No. 26). In its motion, defendant noted the unique procedural posture of the Motion. Defendant noted that Ms. Molligan had been ordered—in another matter—to withdraw as counsel for plaintiff in all matters. Defendant further noted that plaintiff had filed a dismissal in the present case after defendant withdrew consent to stipulate to the dismissal. In light of the unique procedural posture of this matter, defendant intended for its Motion for Sanctions to alert the Court to that conduct and of the continuing need to address issues relating to plaintiff’s lawsuit filed against defendant.

Defendant filed its Motion for Sanctions without previously serving the motion on Ms. Molligan and providing her a chance to cure the deficiencies noted in the Motion for Sanctions pursuant to Fed. R. Civ. P. 11’s “safe harbor” provision. Ms. Molligan’s response on her own behalf in this regard is well taken.

To rectify the procedural deficiency and fully comport with the requirements of Fed. R. Civ. P. 11, defendant presently serves notice of its withdrawal its Motion for Sanctions (ECF No. 26).

By withdrawing its Motion for Sanctions, defendant does not waive its right to renew or re-file its motion for sanctions, following expiration of the “safe harbor” timeline set out in Fed. R. Civ. P. 11(c)(2).

///

///

///

///

### CONCLUSION

Defendant respectfully requests that this Court Withdraw Defendant's present Rule 11 Motion for Sanctions (ECF No. 26).

DATED this 27<sup>th</sup> day of August, 2024

LEWIS BRISBOIS BISGAARD & SMITH LLP

By: s/ Iain M. R. Armstrong  
Iain M.R. Armstrong, OSB #142734  
Nicky C. Blumm, OSB #226455  
Telephone: 971.712.2800  
Facsimile: 971.712.2801

*Attorneys for Defendant AB Hollywood, LLC*